

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Young

Atty. Docket: TTL-04US

Title: APPARATUS AND METHODS FOR TENDON OR LIGAMENT REPAIR

CERTIFICATE OF MAILING BY EXPRESS MAIL - 37 CFR 1.10

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Date of Deposit: April 2, 2004

I certify that this paper or fee (along with the enclosures noted herein) is being deposited with the United States Postal Service 'Express Mail Post Office to Addressee' service under 37 CFR 1.10 on the above date and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kenneth Eads

By: Kenneth Eads (person mailing paper)

UTILITY PATENT APPLICATION TRANSMITTAL

*Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450*

This is a request for filing, under 37 CFR § 1.53(b), a(n):

- ☐ Original (non-provisional) application.
- ☐ Divisional of prior application Serial No. ___, filed on ___.
- ☒ Continuation of prior application Serial No. PCT/US/02/31481, filed on October 2, 2002 (now pending), which is a continuation-in-part of Serial No. 09/969,947, filed on October 3, 2001 (now pending), which is a continuation-in-part of PCT Serial No. PCT/US99/24098, filed on October 18, 1999 (now expired), which is a continuation-in-part of Serial No. 09/928,866, filed on September 12, 1997 (now U.S. Patent No. 6,083,244), which is based on provisional patent application Serial No. 60/026,101, filed on September 13, 1996 (now abandoned) and provisional patent application Serial No. 60/043,086, filed on April 8, 1997, (now abandoned).
- ☐ Continuation-in-part of prior application Serial No. ___, filed on ___.

For Divisional and Continuation applications ONLY:

- ☐ Copy of Executed Declaration, Power of Attorney and Petition Form from parent application is enclosed (as noted below in Enclosures).
- ☒ **Incorporation by Reference:** The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

For all Divisional, Continuation and Continuation-in-part applications:

- ☐ Small Entity Status was requested in the prior application, and small entity status is still proper and desired.
- ☒ This application is assigned to Tendon Technology, Ltd. of 75 Habersac Avenue, Pataskala, Ohio 43062 and Ortheon Medical L.L.C. of 7151 University Drive, Orlando, Florida 32792 by virtue of earlier assignments filed in the prior application on February 13, 2004.

PRELIMINARY AMENDMENT/CALCULATION OF FEES

- ☐ Please cancel claims __ without prejudice, and prior to calculating the fees. __ total claim(s), of which __ is(are) independent, is(are) pending after the amendment.
- ☐ Please enter the enclosed preliminary amendment identified below prior to calculating the fees. __ total claim(s), of which __ is(are) independent, is(are) pending after the amendment.
- ☒ **Small Entity Status is Requested**
- ☒ **The Fees are Calculated as Follows:**

Fee:	Number of Claims:	In Excess of:	Extra:	At Rate:	Amount:
Total Claims	110	20	90	\$18	\$1,620.00
Independent Claims	31	3	28	\$86	\$2,408.00
MULTIPLE DEPENDENT CLAIM FEE					
BASIC FEE					\$770.00
TOTAL OF ABOVE CALCULATIONS					\$4,798.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY					\$2,399.00
TOTAL					\$2,399.00

ENCLOSURES

- ☒ **Utility Patent Application Transmittal Form (in duplicate) containing Certificate of Mailing By Express Mail Under 37 CFR 1.10.**
- ☒ **Return Postcard.**

APPLICATION PAPERS

- ☒ **Utility Patent Application, with: cover sheet, 100 page(s) specification (including 110 total claim(s), of which 31 is(are) independent, and 1 page(s) abstract).**
- ☒ **Drawings: 37 sheet(s) of formal drawings (101 total figure(s)).**
- ☐ Microfiche Computer Program (Appendix).
- ☐ Nucleotide and/or Amino Acid Sequence, including (all are necessary): Computer Readable Copy, Paper Copy (identical to computer copy), and Statement verifying identity of copies.
- ☒ **Seven (7) Executed Declaration, Power of Attorney and Petition Forms (One signed by Lawrence M. Lubbers, Kenneth E. Hughes, Carl R. Coleman, Thomas J. Ward and Matthew J. Huddleston; one signed by Warren P. Williamson IV and Craig B. Berky; one signed by Mark A. Goldin, William J. Christy, Brian Scott Schumacher and Terence Lee Murphy; one signed by Perry DeFazio; one signed by Nickole Symone Lewis; one signed by Jeremy Jarrett; and one signed by Joseph E. Young).**

- ☐ Copy of Executed Declaration, Power of Attorney and Petition Form from prior application identified above.
- ☐ Certified Copy of priority document(s) identified as attached above.

ADDITIONAL PAPERS

- ☐ Assignment to __, Recordation Cover Sheet (Form PTO-1595)
- ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i)
- ☐ Preliminary Amendment (to be entered prior to calculation of fees)
- ☐ Information Disclosure Statement, __ sheet(s) Form PTO-1449, __ U.S. Patent Reference(s), __ Foreign Patent Reference(s) and __ Other Reference(s)
- ☐ Other: __

CHECKS

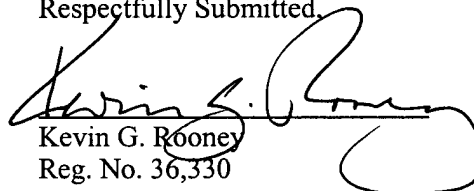
- ☒ A Check of \$2,399.00 for the filing fee.
- ☐ A Check of __ for the assignment recording fee.

DEPOSIT ACCOUNT AUTHORIZATION

- ☐ Please charge Deposit Account No. 23-3000 in the amount of __.
- ☒ **The Commissioner is authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 23-3000. A duplicate of this transmittal is attached.**
- ☐ **THE PAYMENT OF FEES IS BEING DEFERRED.**

WOOD, HERRON & EVANS, L.L.P.
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Respectfully Submitted,


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